

Subsec. (b)(3), (4). Pub. L. 109–59, § 1903(c)(2), redesignated par. (4) as (3).

Subsec. (d). Pub. L. 109–59, § 1903(c)(3), substituted “the Surface Transportation Assistance Act of 1982 (96 Stat. 2097) or this title that” for “this Act, the Surface Transportation Assistance Act of 1978 or title 23, United States Code, which”.

Subsec. (e) to (g). Pub. L. 109–59, § 1903(c)(4), (5), which directed amendment of this section by striking subsec. (e) and redesignating subssecs. (f) and (g) as (e) and (f), respectively, was executed by making the redesignations and by striking out two subssecs. (e), to reflect the probable intent of Congress. The first subsec. (e) based on subsec. (e) of section 165 of Pub. L. 97–424, as originally enacted, repealed section 401 of the Surface Transportation Assistance Act of 1978, Pub. L. 95–599. The second subsec. (e) based on subsec. (e) of section 165 of Pub. L. 97–424, as added by Pub. L. 102–240, § 1048(b), related to report on purchases from foreign entities waived under subsec. (b) in fiscal years 1992 and 1993.

EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112–141 effective Oct. 1, 2012, see section 3(a) of Pub. L. 112–141, set out as an Effective and Termination Dates of 2012 Amendment note under section 101 of this title.

BUY AMERICA WAIVER NOTIFICATION AND ANNUAL REPORTS

Pub. L. 113–235, div. K, title I, § 122, Dec. 16, 2014, 128 Stat. 2708, provided that: “Not less than 15 days prior to waiving, under his or her statutory authority, any Buy America requirement for Federal-aid Highways projects, the Secretary of Transportation shall make an informal public notice and comment opportunity on the intent to issue such waiver and the reasons therefor: *Provided*, That the Secretary shall provide an annual report to the House and Senate Committees on Appropriations on any waivers granted under the Buy America requirements.”

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 113–76, div. L, title I, § 122, Jan. 17, 2014, 128 Stat. 586.

Pub. L. 112–55, div. C, title I, § 122, Nov. 18, 2011, 125 Stat. 654.

Pub. L. 111–117, div. A, title I, § 123, Dec. 16, 2009, 123 Stat. 3048.

Pub. L. 111–8, div. I, title I, § 126, Mar. 11, 2009, 123 Stat. 928.

Pub. L. 110–161, div. K, title I, § 130, Dec. 26, 2007, 121 Stat. 2389.

Pub. L. 110–244, title I, § 117, June 6, 2008, 122 Stat. 1607, provided that:

“(a) WAIVER NOTIFICATION.—

“(1) IN GENERAL.—If the Secretary of Transportation makes a finding under section 313(b) of title 23, United States Code, with respect to a project, the Secretary shall—

“(A) publish in the Federal Register, before the date on which such finding takes effect, a detailed written justification as to the reasons that such finding is needed; and

“(B) provide notice of such finding and an opportunity for public comment on such finding for a period of not to exceed 60 days.

“(2) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in paragraph (1) shall be construed to require the effective date of a finding referred to in paragraph (1) to be delayed until after the close of the public comment period referred to in paragraph (1)(B).

“(b) ANNUAL REPORTS.—Not later than February 1 of each year beginning after the date of enactment of this Act [June 6, 2008], the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the projects for which the Secretary made findings

under section 313(b) of title 23, United States Code, during the preceding calendar year and the justifications for such findings.”

§ 314. Relief of employees in hazardous work

The Secretary is authorized in an emergency to use appropriations to the Department of Transportation for carrying out the provisions of this title for medical supplies, services, and other assistance necessary for the immediate relief of employees of the Federal Highway Administration engaged in hazardous work.

(Pub. L. 85–767, Aug. 27, 1958, 72 Stat. 915; Pub. L. 93–87, title I, § 152(5), (6), Aug. 13, 1973, 87 Stat. 276.)

AMENDMENTS

1973—Pub. L. 93–87 substituted “Department of Transportation” for “Department of Commerce” and “Federal Highway Administration” for “Bureau of Public Roads”.

§ 315. Rules, regulations, and recommendations

Except as provided in sections 202(a)(5), 203(a)(3), and 205(a) of this title, the Secretary is authorized to prescribe and promulgate all needful rules and regulations for the carrying out of the provisions of this title. The Secretary may make such recommendations to the Congress and State transportation departments as he deems necessary for preserving and protecting the highways and insuring the safety of traffic thereon.

(Pub. L. 85–767, Aug. 27, 1958, 72 Stat. 915; Pub. L. 100–17, title I, § 133(b)(18), Apr. 2, 1987, 101 Stat. 172; Pub. L. 105–178, title I, § 1212(a)(2)(A)(ii), June 9, 1998, 112 Stat. 193; Pub. L. 112–141, div. A, title I, § 1119(c)(3), July 6, 2012, 126 Stat. 492.)

AMENDMENTS

2012—Pub. L. 112–141 substituted “202(a)(5), 203(a)(3),” for “204(f)”.

1998—Pub. L. 105–178 substituted “State transportation departments” for “State highway departments”.

1987—Pub. L. 100–17 which directed that this section be amended by substituting “204(f) and 205(a)” for “204(d), 205(a), 207(b), and 208(c)” was executed by substituting “204(f) and 205(a)” for “204(d), 205(a), 206(b), 207(b), and 208(c)”, to reflect the probable intent of Congress.

EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112–141 effective Oct. 1, 2012, see section 3(a) of Pub. L. 112–141, set out as an Effective and Termination Dates of 2012 Amendment note under section 101 of this title.

§ 316. Consent by United States to conveyance of property

For the purposes of this title the consent of the United States is given to any railroad or canal company to convey to the State transportation department of any State, or its nominee, any part of its right-of-way or other property in that State acquired by grant from the United States.

(Pub. L. 85–767, Aug. 27, 1958, 72 Stat. 915; Pub. L. 105–178, title I, § 1212(a)(2)(A)(i), June 9, 1998, 112 Stat. 193.)

AMENDMENTS

1998—Pub. L. 105–178 substituted “State transportation department” for “State highway department”.